

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

BRUCE MITCHELL NICHOLSON,

Plaintiff,

5:18-CV-1147 (BKS/ATB)

v.

CORNELIUS HARRIS, JR., et al.,

Defendants.

Appearances:

Bruce Mitchell Nicholson
91206
Talladega County Jail
P.O. Box B
Talladega, AL 35161
Plaintiff, pro se

Hon. Brenda K. Sannes, United States District Judge:

MEMORANDUM-DECISION AND ORDER

Plaintiff Bruce Mitchell Nicholson commenced this action on September 24, 2018, on a form complaint seeking relief under *Bivens*. (Dkt. No. 1). This matter was assigned to United States Magistrate Judge Andrew T. Baxter who, on November 29, 2018, issued a Report-Recommendation recommending that the complaint be dismissed in its entirety without opportunity to amend, and without prejudice. (Dkt. No. 11). Magistrate Judge Baxter advised the plaintiff that under 28 U.S.C. § 636(b)(1), he had fourteen days within which to file written objections to the report, and that the failure to object to the report within fourteen days would preclude appellate review. (Dkt. No. 11, at 11). No objections to the Report-Recommendation have been filed.

As no objections to the Report-Recommendation have been filed, and the time for filing objections has expired, the Court reviews the Report-Recommendation for clear error. *See Petersen v. Astrue*, 2 F. Supp. 3d 223, 228–29 (N.D.N.Y. 2012); Fed. R. Civ. P. 72(b) advisory committee's note to 1983 amendment. Having reviewed the Report-Recommendation for clear error and found none, the Court adopts the Report-Recommendation in its entirety.

For these reasons, it is

ORDERED that the Report-Recommendation (Dkt. No. 11) is **ADOPTED** in its entirety; and it is further

ORDERED that the complaint (Dkt. No. 1) is **DISMISSED in its entirety without prejudice** and without opportunity to amend; and it is further

ORDERED that the Clerk serve a copy of this Order upon the plaintiff in accordance with the Local Rules.

IT IS SO ORDERED.

Brenda K Sannes
Brenda K. Sannes
U.S. District Judge

Dated: February 19, 2019
Syracuse, New York